

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CASE NO.: 2:00-CR-078

2:00-CR-162

JUDGE SMITH

MAGISTRATE JUDGE KEMP

DONALD ALFRED WOLFE,

Defendant.

ORDER

On June 18, 2013, the Magistrate Judge issued a Report and Recommendation recommending that the Court find that Defendant violated his supervised release by violating Mandatory Condition No. 1 (commission of a new offense) and Standard Condition No. 1 (leaving the judicial district without the permission of the court or probation officer). It was further recommended that the Court sentence Defendant to a term of imprisonment of nine months, with no additional term of supervised release (Doc. 38).

The Magistrate Judge held a final supervised release revocation hearing on June 14, 2013. The Defendant stipulated to the violations of supervised release described in the Probation Officer's report. No evidence was presented at the hearing. The parties argued the issue of an appropriate sentence. The guideline range for the violations was 15-21 months. Both the Defendant and the Government agreed to a nine month sentence, with no additional term of supervised release. Based on this information, the Magistrate Judge recommended that Defendant's supervised release be revoked and that he be sentenced to nine months imprisonment, with no additional term of

supervised release. The Magistrate Judge found the sentence of nine months would provide adequate punishment for the violations and to deter others from doing so.

Defendant was specifically informed of his right to contest the Report and Recommendation by filing any objections within 14 days of the issuance of the Report and Recommendation. Defendant did not file any objections.

Accordingly, the Court **ADOPTS** the Report and Recommendation and hereby confirms the revocation of Defendant's supervised release. Defendant is sentenced to nine months imprisonment, with no additional term of supervised release to follow.

IT IS SO ORDERED.

/s/ George C. Smith
GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT